REMARKS

Claim 4 has been cancelled without prejudice or disclaimer since it has been essentially incorporated into Claims 1 and 12.

Reconsideration is respectfully requested for Claims 1-3 and 5-25, said claims having been rejected under 35 USC 102 and under 35 USC 103, each based upon US Patent No. 3979299 to Ruland (the '299 patent).

Addressing first the rejection of claim 16 because it is the only claim not currently amended in this application. The Ruland patent does show a source of filter medium 10 and a take-up roll 19, which is undoubtably intended that the take-up roll 19 would rotate to cause the filter medium to leave the source roll 10 and to be rolled up onto the take-up roll 19. However, the '299 patent is totally silent as to what causes the take-up roll 19 to be rotated. In column 1, lines 27-31 there is the statement that "the filter cloth is transported continuously or intermittently over a supporting sieve to a receiving chamber". Further in column 1, at lines 43-51 indicate that the magazine chamber contains a rotatably mounted magazine roll from which the filter cloth is unwound and the filter material is put onto a rotatably mounted winding roll in the receiving chamber. In column 2, there is an indication that the magazine chamber 9 contains a magazine roll 10 from which a filter cloth lever is removed as required. Finally, in column 2 there is an indication that the used filter cloth 11 is rolled up onto take-up means in the form of roll 19. Again, this is the only disclosure in the entire '299 patent of the take-up roll 19 or the supply roll 10 being rotated.

Independent claim 16, however, has a method step of "rotating said filter media take-up roll to renew the filter media around the perimeter of said filter tube without opening up the closed vessel within which the filter tube is located". This is accomplished, for example, with respect to FIG. 6, the operation of which is described on page 11 of the applicant's specification beginning at line 7. This particular method step which causes the filter media

take-up roll to rotate without opening up the closed vessel is quite clearly neither disclosed, taught, or even suggested in the Ruland '299 patent.

Claims 1 and 12, the only other independent claims presently existing in the application, have each been amended to call for the porous tubular wall to be continuous except for a single passageway through which the filter media may exit and return to the take-up roll. This is a marked departure from the Ruland '299 patent which has 2 passageways, a first passageway 18 for the filter media as it leaves the supply roll 10 and an unnumbered passageway allowing the filter media to return to the take-up roll 19.

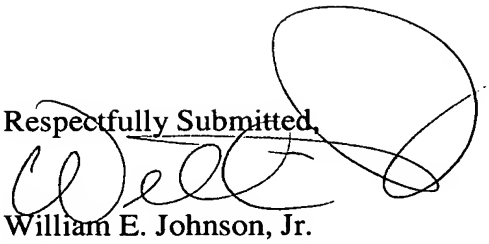
There are several advantages to having just a single passageway, as contrasted to having the two passageways as shown in the '299 patent, not the least of which is the mechanical stability. The jacket 3 in the '299 patent, is removable and when it is in place the jacket 3 provides no mechanical stability. In column 2, line 51, it is seen that the jacket 3 is removable and while the apparatus is in operation it is covered by a cloth 16.

The present invention provides more mechanical stability and a much improved filtering process over that shown in the '299 patent.

Each of the claims presently outstanding, other than for the method claim 16, now calls for the porous tube to be continuous other than for the single passageway which allows the filter media to exit and return through the same passageway.

Claims 1-3 and 5-25 are believed to be patentably distinct over the cited '299 patent, both under 35 USC 102 and 35 USC 103. A favorable consideration of these claims is respectfully requested.

Respectfully Submitted,



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